

D. Giarratana
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8.12.02

I HEREBY CERTIFY THAT THIS CORRESPONDENCE
IS BEING DEPOSITED WITH THE UNITED STATES
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ENVELOPE ADDRESSED TO: BOX A/F,
COMMISSIONER OF PATENTS, WASHINGTON, D.C.
20231, ON THE DATE INDICATED BELOW.

Mark D. Giarratana
MARK D. GIARRATANA, Atty. of Record

July 29, 2002
DATE OF SIGNATURE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Application	Edward L. Carver, Jr.)	
of:	Steven J. Skiptunas)	Group Art Unit: 1743
)	
on:	APPARATUS AND)	Examiner: L. Alexander
	METHOD FOR MIXING)	
	FLUIDS FOR ANALYSIS)	
)	
Serial No.:	09/198,004)	
)	
Filed On:	November 23, 1998)	(Docket No. 116310.0032)

Box A/F
Commissioner for Patents
Washington, D.C. 20231

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**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Dear Sir:

Applicant hereby appeals to the Board from the decisions of the Primary Examiner,
mailed March 29, 2002, finally rejecting Claims 1, 3-6, 31 and 33-47.

The item(s) checked below are appropriate:

1. FEE FOR FILING NOTICE OF APPEAL

Pursuant to 37 CFR 1.17(b), the fee for filing the Notice of Appeal is:

<input checked="" type="checkbox"/>	small entity	\$160.00
<input type="checkbox"/>	other than a small entity	\$320.00
	Notice of Appeal Fee Due:	<u>\$ 160.00</u>

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160.00 OF

3. EXTENSION OF TERM

NOTE: *The time periods set forth in 37 CFR 1.191 are subject to the provision of §1.136 for patent applications. 37 CFR 1.191(d). (But see 37 CFR 1.645 for extension of time in reference proceedings and 37 CFR 1.550(c) for extension of time in reexamination proceedings).*

(complete (a) or (b), as applicable)

The proceedings herein are for a patent application and the provisions of 37 CFR 1.136 apply.

- (a) ☒ Applicant petitions for an extension of time under 37 CFR 1.136 (fees: 37 CFR 1.17(a)-(d)) for the total number of months checked below:

	Extension (months)	Fee for other than <u>small entity</u>	Fee for <u>small entity</u>
<input checked="" type="checkbox"/>	one month	\$ 110.00	\$ 55.00
<input type="checkbox"/>	two months	\$ 400.00	\$ 200.00
<input type="checkbox"/>	three months	\$ 920.00	\$ 460.00
<input type="checkbox"/>	four months	\$1,440.00	\$ 720.00
<input type="checkbox"/>	five months	\$1,960.00	\$ 980.00
		Fee	\$ <u>55.00</u>

If an additional extension of time is required, please consider this a petition therefor.

(check and complete the next item, if applicable)

- ☐ An extension for _____ months has already been secured. The fee paid thereafter of \$ _ is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request \$ 55.00

or

- (b) ☐ Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

4. TOTAL FEE DUE

The total fee due is:

Notice of Appeal fee	\$ 160.00
Extension fee (if any)	\$ <u>055.00</u>
TOTAL FEE DUE	\$ <u>215.00</u>

5. FEE PAYMENT

- ☒ Attached are checks in the sums of \$ 160.00 and \$55.00
- ☐ Charge Account No. 50-1631 the sum of \$ _____

6. FEE DEFICIENCY

NOTE: *If there is a fee deficiency and there is no authorization to charge an account, additional fees are necessary to cover the additional time consumed in making up the original deficiency. If the maximum, six-month period has expired before the deficiency is noted and corrected, the application is held abandoned. In those instances where authorization to charge is included, processing delays are encountered in returning the papers to the PTO Finance Branch in order to apply these charges prior to action on the case. Authorization to charge the deposit account for any fee deficiency should be checked. See the Notice of April 7, 1986, 1065 O.G. 31-33.*

☒ If any additional extension and/or fee is required, charge to Account No. 50-1631.

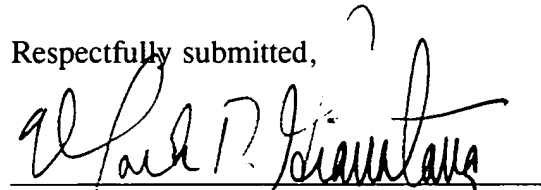
AND/OR

☒ If any additional fee for claims is required, charge to Account No. 50-1631.

A DUPLICATE OF THIS TRANSMITTAL IS ATTACHED.

Date: July 29, 2002

Respectfully submitted,



Mark D. Giarratana, Reg. No. 32,615
Attorneys for Applicant

CUMMINGS & LOCKWOOD
Granite Square
700 State Street
P. O. Box 1960
New Haven, CT 06509-1960
(860) 275-6719

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NOTE: *If there is a fee deficiency and there is no authorization to charge an account, additional fees are necessary to cover the additional time consumed in making up the original deficiency. If the maximum, six-month period has expired before the deficiency is noted and corrected, the application is held abandoned. In those instances where authorization to charge is included, processing delays are encountered in returning the papers to the PTO Finance Branch in order to apply these charges prior to action on the case. Authorization to charge the deposit account for any fee deficiency should be checked. See the Notice of April 7, 1986, 1065 O.G. 31-33.*



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AND/OR

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COPY OF PAPERS
ORIGINALLY FILED

Date: July 29, 2002

Respectfully submitted,

Mark D. Giarratana, Reg. No. 32,615
Attorneys for Applicant

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